



U.S. PATENT APPLICATION NO. 10/713,651  
ATTORNEY DOCKET NO. 03226/344001; SUN040244

**N THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S):** Michael W. SHAPIRO                   **ART UNIT:** 2122  
**SERIAL NO.:** 10/713,651                               **EXAMINER:**  
**FILED:** November 14, 2003  
**TITLE:** MECHANISM FOR SAFE BYTE CODE IN A TRACING  
FRAMEWORK

**Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

## **INFORMATION DISCLOSURE STATEMENT**

Pursuant to their duty of good faith and candor as set forth in 37 CFR 1.56(a), Applicants request that the reference(s) cited on attached form PTO-1449 (copies of which are enclosed) be considered by the Examiner in connection with the search of the prior art required by 37 CFR 1.104. This Statement is being filed under one of the following provisions of § 1.97:

[ XX ] This Statement is being filed under 37 CFR 1.97(b) prior to the latest of: (1) three months from the filing date of this Application; (2) three months after entry of the national stage in the case of an international application; (3) the mailing date of a first Office Action on the merits; or (4) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

[ ] This Statement is being filed under 37 CFR 1.97(c) after the period specified in § 1.97(b) but prior to the earlier of: (1) a final Office Action under § 1.113; (2) a Notice of Allowance under § 1.113; or (3) an action that otherwise closes prosecution in the application. This Statement is accompanied by either:

[ ] the fee set forth in § 1.17(p); or  
[ ] the statement specified in § 1.97(e).

[ ] This Statement is being filed under 37 CFR 1.97(d), but prior to the payment of the issue fee. This Statement is accompanied by:

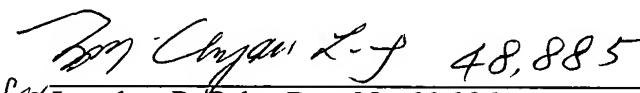
- (1) the statement specified in § 1.97(e); and
- (2) the fee set forth in § 1.17(p).

Applicants believe no petition is necessary; however, if this belief is incorrect, please consider this paper as such.

Applicants believe there is no fee due for filing this paper. However, if Applicants are in error, the Director is hereby authorized to charge Deposit Account 50-0591 of Rosenthal & Osha L.L.P. under Order No. 03226.344001 for any additional fees and/or credits.

Respectfully submitted,

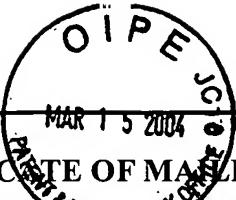
Dated: 3/11/04

  
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8) Applicant(s): <del>TRADEMARKS</del> W. SHAPIRO			Docket No. 03226.344001; SUN040244
Serial No. 10/713,651	Filing Date 11/14/2003	Examiner	Group Art Unit 2122

**Invention:****MECHANISM FOR SAFE BYTE CODE IN A TRACING FRAMEWORK**

I hereby certify that this

**Information Disclosure Statement***(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1

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of

1

<i>Complete if Known</i>	
Application Number	10/713,651
Filing Date	November 14, 2003
First Named Inventor	Michael W. SHAPIRO
Group Art Unit	2122
Examiner Name	
Attorney Docket Number	03226.344001; SUN040244

**U.S. PATENT DOCUMENTS**

		U.S. Patent Document			
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Figures Appear

**FOREIGN PATENT DOCUMENTS**

		Foreign Patent Document					
Examiner initials*	Cite No.	Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T**

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner initials*	Cite No.	References	T**
	A1	Tamches, Ariel and Miller, Barton P; "Fine-Grained Dynamic Instrumentation of Commodity Operating System Kernels"; [Online]; <a href="http://www.usenix.org/publications/library/proceedings/osdi99/full_papers/tamches.pdf">http://www.usenix.org/publications/library/proceedings/osdi99/full_papers/tamches.pdf</a> , Published February 1999	
	A2	Murayama, John; "Performance Profiling Using TNF"; [Online]; <a href="http://developers.sun.com/solaris/articles/tnf.html">http://developers.sun.com/solaris/articles/tnf.html</a> , July 2001	
	A3	Lorch, Jacob R. and Smith, Alan J.; "The Vtrace Tool: Building a system Tracer for Windows NT and Windows 2000"; [Online] <a href="http://msdn.microsoft.com/msdnmag/issues/1000/Vtrace/default.aspx">http://msdn.microsoft.com/msdnmag/issues/1000/Vtrace/default.aspx</a> , October 2000	
	A4	"Chapter 10. The Generalized Trace Facility (GTF)"; [Online]; <a href="http://publib.boulder.ibm.com/cgi-bin/bookmgr/BOOKS/IEA2V100/CCONTENTS">http://publib.boulder.ibm.com/cgi-bin/bookmgr/BOOKS/IEA2V100/CCONTENTS</a> , January 2001	
	A5	Mirgorodskii, Alex; "The Path to Portable Kernel Instrumentation: The Kerninst API"; <a href="http://www.dyninst.org/mtg2003/slides/KerninstAPI.pdf">http://www.dyninst.org/mtg2003/slides/KerninstAPI.pdf</a> , April 2003	
	A6	Richard Moore, et al.; "IBM Dynamic Probes"; <a href="http://www-124.ibm.com/developerworksopensource/linux/projects/dprobes/README">http://www-124.ibm.com/developerworksopensource/linux/projects/dprobes/README</a> , 2000	
	A7	K. Yaghmour et al.; "Measuring and Characterizing System Behavior Using Kernel-Level Event Logging"; Proceedings of the 2000 USENIX Annual Technical Conference; June 18-23, 2000, San Diego, California, USA	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*\* Applicant is to place a check mark here if English language is present or an English Translation or Abstract is attached.